IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUMMONS FOR JUDGMENT NO. 789 OF 2004

IN

SUMMARY SUIT NO. 2347 OF 2004

Ms. Sharmila Salani Asha .. Plaintiff

vs.

Mr. Vinodkumar Hariprasad

Dubey & Anr. .. Defendants.

Mr. Abhinandan Vagyani for plaintiff.

Mr. R.K. Singh for defendants.

CORAM : S.U. KAMDAR, J.

DATE : 10TH OCTOBER, 2005.

P.C.

. The present suit is filed on two dishonoured cheques which are at Exhibits A and A-1. The total claim arising out of these two cheques is Rs. 75,000/-. The learned counsel appearing for the defendant contends that the cheques are not valid because he stopped payment because there are certain disputes between the parties. The defendants say that they have filed suit being Suit No. 2934 of 2004 in that behalf. I have perused the copy of the said suit. I do not find any substance in the

aforesaid argument because the said suit does not pertain to the aforesaid cheques. However, in respect of the aforesaid, with a view to give an opportunity to the defendants to defend, I direct the defendant to deposit in this Court a sum of Rs. 1 lac within four weeks from today. The amount if so deposited, the Prothonotary and Senior Master is directed to deposit the same in a fixed deposit with any nationalised bank initially for a period of one year and renew the same from time to time till further orders from this Court.

2. Suit transferred to the list of Commercial Causes. Written Statement or points of defence to be filed four weeks from the date of deposit. Affidavits list of documents to be filed within four weeks thereafter. Inspection within four weeks thereafter. Suit to be on Board of the learned Judge taking Commercial Causes.